

## § 175.550

submitted to the Marine Safety Center via the cognizant OCMI.

(c) The Commandant may approve a novel lifesaving appliance or arrangement as an equivalent if it has performance characteristics at least equivalent to the appliance or arrangement required under this part, and:

(1) Is evaluated and tested under IMO Resolution A. 520(13) (incorporated by reference, see 46 CFR 175.600); or

(2) Has successfully undergone an evaluation and tests that are substantially equivalent to those recommendations.

(d) The Commandant may accept alternative compliance arrangements in lieu of specific provisions of the International Safety Management (ISM) Code (IMO Resolution A.741(18)) for the purpose of determining that an equivalent safety management system is in place on board a vessel. The Commandant will consider the size and corporate structure of a vessel's company when determining the acceptability of an equivalent system. Requests for determination of equivalency must be submitted to Commandant (CG-543) via the cognizant OCMI.

[CGD 85-080, 61 FR 947, Jan. 10, 1996; 61 FR 24464, May 15, 1996, as amended by CGD 95-073, 62 FR 67515, Dec. 24, 1997; USCG-2003-16630, 73 FR 65203, Oct. 31, 2008; USCG-2009-0702, 74 FR 49240, Sept. 25, 2009]

## § 175.550 Special consideration.

In applying the provisions of this subchapter, the OCMI may give special consideration to authorizing departures from the specific requirements when unusual circumstances or arrangements warrant such departures

## 46 CFR Ch. I (10-1-10 Edition)

and an equivalent level of safety is provided. The OCMI of each marine inspection zone in which the vessel operates must approve any special consideration granted to a vessel.

## § 175.560 Appeals.

Any person directly affected by a decision or action taken under this subchapter, by or on behalf of the Coast Guard, may appeal therefrom in accordance with §1.03 in subchapter A of this chapter.

## § 175.600 Incorporation by reference.

(a) Certain material is incorporated by reference into this subchapter with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). The material is also available for inspection at the U.S. Coast Guard, Office of Design and Engineering Standards (CG-521), 2100 2nd St., SW., Stop 7126, Washington, DC 20593-7126, and is available from the sources listed below.

(b) The material approved for incorporation by reference in this subchapter and the sections affected are shown in Table 175.600:

TABLE 175.600: SUBCHAPTER T INCORPORATIONS BY REFERENCE

Standards organization and name of standard	Section(s) incorporating the standard
American Boat and Yacht Council (ABYC), 613 Third Street, Suite 10, Annapolis, MD 21403	
A-1-93—Marine Liquefied Petroleum Gas (LPG) Systems ("ABYC A-1") ...	184.240.
A-3-93—Galley Stoves ("ABYC A-3") .....	184.200.
A-7-70—Boat Heating Systems ("ABYC A-7") .....	184.200.
A-16-89—Electric Navigation Lights ("ABYC A-16") .....	183.130.
A-22-93—Marine Compressed Natural Gas (CNG) Systems ("ABYC A-22").	184.240.
E-8 Alternating Current (AC) Electrical Systems on Boats (July 2001) ("ABYC E-8").	183.130; 183.340.
E-9 Direct Current (DC) Electrical Systems on Boats (May 28, 1990) ("ABYC E-9").	183.130; 183.340.
H-2-89—Ventilation of Boats Using Gasoline ("ABYC H-2") .....	183.130; 182.460.
H-22-86—DC Electric Bilge Pumps Operating Under 50 Volts ("ABYC H-22").	182.130; 182.500.